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ON

SLAVERY

AND THE

SLAVE TRADE,

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THE *following examination of an important and intereſting queſtion now before the Legiſlature is reprinted from Mr. Giſborne's* PRINCIPLES OF MORAL PHILOSOPHY: *and was ſelected by the Publiſher, as one of the cleareſt and moſt comprehenſive elucidations of the ſubject.*

ON

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Of the cauſes which may entitle one man to force another into Slavery, or detain him in it.

BY ſlavery I mean the condition of a perſon who is compelled to labour at the will of another, without any previous contract.

Agreeably to natural juſtice, an individual may be reduced by force to this condition on two accounts:

1ſt. For Indemnification.

2dly. For Puniſhment.

The cauſes which may entitle one man to force another into ſlavery, for the ſake of indemnification

or puniſhment, and the circumſtances which ſhould determine him to exert or to wave his right, have already been diſcuſſed in the two preceeding chapters. The ſlavery in theſe caſes muſt ceaſe as ſoon as the juſt purpoſes for which it was impoſed are obtained. Until theſe are accompliſhed, the right of the impoſer remains unaltered.

The exerciſe of this right during the whole, or any part of its continuance may be transferred by the poſſeſſor to another perſon. It is however obvious that the transfer can convey no juſt power beyond the extent or duration of the right which exiſted in the former owner. Nor does the valuable conſideration, which may be given for the ſlave by the new poſſeſſor, make any alteration in that reſpect. The buyer cannot acquire what the ſeller has no right to diſpoſe of.

No man can be juſtified in wilfully contributing, either in the capacity of purchaſer, or of agent, or in any other way, to detain a perſon in ſlavery who has *in fact* acted in ſuch a manner as completely to vindicate the condition in which he is held, unleſs convinced in his conſcience on grounds ſufficiently ſtrong that this is the caſe. In a conteſt between two individuals, I ſhould not be juſtified in aſſiſting one of them to bind, maim, or kill the other, though the aggreſſor; unleſs it were previouſly ſhewn to my ſatisfaction that he was ſo, and that the violent meaſure propoſed was neceſſary for the defence of the injured party. The application is eaſy.

That

That he who has taken his enemy captive in a conflict hes a right to doom him to ſlavery, is by no means a neceſſary conſequence. It is idle to ſay that he might take the life of his conquered antagoniſt, and is therefore merciful in exacting only his labour. Let him eſtabliſh the premiſes before he deduces the concluſion. The only way in which he can eſtabliſh them is by proving the death of his priſoner to be requiſite for the reaſonable ſecurity of himſelf, or of thoſe whom he has a right to protect, againſt injuries apprehended on ſufficient grounds from the other. It is almoſt needleſs to obſerve that ſuch a plea can very rarely be alledged with truth by warriors of any age or nation, who conſult their reaſon rather than their paſſions; and that reflections on the intereſted motives which are likely to ſuggeſt it, and a deep ſenſe of the value of life to each individual, ought to prevent it from being admitted in any poſſible caſe, without the fulleſt proof of the neceſſity deſcribed. The argument ſtated above, is that which is generally urged to vindicate the enſlaving of priſoners taken in war; but let it ever be remembered, that all which the conqueror can claim from his captive is reparation for paſt injuries, and reaſonable ſecurity againſt future violence. If he finds it eſſential to the attainment of theſe ends that the other ſhould be reduced to ſlavery, he has then, and then only, a right to enſlave him. The right, however, is neither created nor extended by his having captured the other party; though that is the circumſtance which happens to enable him to exert it.

Whether Slaves retain a right to acquire or to hold property.

The poſitions which have been eſtabliſhed will furniſh a ready ſolution of the doubts not unfrequently entertained, whether ſlaves retain a right to acquire or to hold property. The ſtate of ſlavery does not neceſſarily involve the forfeiture of thoſe natural rights. If the juſt ends of indemnification and puniſhment cannot be accompliſhed without depriving the ſlave of them, as well as of his liberty, they may be taken away; otherwiſe he continues to poſſeſs them.

If the ſlave refuſe to render to his owner the labour which is his due, it may juſtly be exacted by the uſe of all requiſite puniſhment.

In no caſe can the maſter have a right to the labour of the guiltleſs family of the ſlave further than the ſlave himſelf is entitled to it. Whatever right the ſlave may poſſeſs to the ſervice of his children is liable, like any other of his rights, to be forfeited; and may be claimed and exerciſed by the maſter, as far as he finds that meaſure neceſſary for ſecuring juſt purpoſes of puniſhment and indemnification: but the authority aſſerted on this ground by the maſter muſt terminate with reſpect to each particular child, as ſoon as that child attains to ſuch an age as no longer to be ſubjected by nature to the dominion of his parent.

This

This reaſoning applies with equal force to children born during the ſlavery of their parents. The maſter cannot derive from the latter more extenſive or more permanent rights than they themſelves poſſeſs over their offspring.

If the maſter, ſhifting the ground of argument, pleads that he has maintained the child from infancy to manhood, and not from gratuitous charity, but with a view to a proper recompenſe; let him be reminded, that he has received in return the labour of the other during that period. But he replies, that "the labour has been an inadequate return; and "that he has at leaſt a right to exact the ſervices of "the child when grown up, until he has obtained a "reaſonable indemnification: for the infant having "no proſpect of being ſupported by any other per-"ſon, it muſt be preſumed that, had he been able, "he would gladly have conſented to ſecure a main-"tenance on the terms of making an eqnitable com-"penſation when he ſhould have it in his power." Why does not the maſter aſſert, that the other, had he been able, would have conſented to ſecure his exiſtence on *any* terms, and claim a right to detain him in *perpetual* bondage? Why does he not affirm that he has a right to enſlave any man whom he has chanced to preſerve from drowning? No conſent was or could be given in either caſe, nor any right conveyed. Whatever debt of gratitude may have been incurred, that is not to be recovered by compulſion. In each of theſe inſtances, if aſſiſtance was given to the diſtreſſed party from proper motives,

one

one of the moſt indiſpenſable duties which a human being can owe to his Maker, and one of the greateſt acts of benevolence which man can render to man, has been performed: but if the object of this benevolence ſhould refuſe all acknowledgment of the kindneſs, his benefactor muſt ſatisfy himſelf in this world, and well may he be ſatisfied, with the conſcious approbation of his own heart, and look forward to another for his complete reward.

The duties of a Slave-Maſter.

I have hitherto ſpoken of the rights of the maſter; I will now briefly mention his duties. Not having a right to endanger the life or health of the ſlave, except ſo far as the danger is the unavoidable conſequence of the reaſonable ſervice of the latter, he is obliged in juſtice to provide food, clothing, and other neceſſaries, for the ſlave, or to allow ſufficient time and opportunities for the other to provide them. He is alſo bound in the ſight of God to attend to the health, morals, and religious inſtruction, of the ſlave; to treat him on all occaſions with kindneſs and forbearance, more eſpecially to be mild in exacting labour, and inflicting puniſhment; and not to give or to ſell the ſlave to any perſon, whom he does not think likely faithfully to perform the duties of a maſter.

ON THE SLAVE TRADE.

Application of the preceeding poſitions to the queſtion concerning the Abolition of the Slave Trade.

The end for which moral principles are inveſtigated is the direction of human conduct. During our inveſtigation of them, their final object ought ever to be kept in view; and no fit opportunity ſhould be omitted of pointing out their bearings on topics of importance, eſpecially on ſuch as are agitated at preſent. The poſitions which have been maintained in this chapter, can never be more properly applied than to the elucidation of the queſtion now before our legiſlature, concerning the abolition of the African Slave-trade. I ſhall therefore apply them to that ſubject, with the brevity which is required by the limits of my general plan.

A ſtate of Slavery, in itſelf, not irreconcileable with juſtice.

It appears then, that thoſe writers, who have contended that a ſtate of ſlavery cannot be reconciled with juſtice, and that the poſſeſſion, the ſale, or tranſfer, of a ſlave, is in every inſtance an act of uſurpation, have proceeded to much greater lengths than ſober argument will vindicate. It would in truth have

have been as reaſonable to maintain that all penal meaſures, and all transfers of rights, are unjuſt. For if natural juſtice permits a man to be deprived, in certain caſes, of his limbs or of his life, can it univerſally forbid the exaction of his labour? And if one man is entitled to the ſervice of another, does not juſtice allow him to give or to ſell that right, like any other of his rights, to a third perſon?

Requiſites to reconcile a ſtate of Slavery with juſtice.

For the *juſt* purpoſes of indemnification and puniſhment ſlavery may be impoſed. Whoever therefore has honeſtly purchaſed from the *proper owner*, either in Africa or in the Weſt Indies, a ſlave, whom, after *ſerious enquiry* he *believes in his conſcience* to have been *deſervedly* condemned to that ſtate for either of theſe ends, has not violated juſtice in the tranſaction; nor, ſuppoſing that his conviction continues, and that he faithfully diſcharges the duties of a maſter, will he act unjuſtly in exacting the labour of the ſlave during the term for which he was condemned, (whether it were for a limited period or for life,) nor in diſpoſing of him for the whole or any part of the term to any other perſon, who, he has reaſon to think, will treat him properly.

Circumſtances, which render the purchaſing and holding of Slaves, ſinful and unjuſt.

But whoever has *defrauded* the former owner of a ſlave in the original purchaſe; whoever has *accepted* or

or exerciſed a power over the liberty of another, *without having made full and impartial enquiries* whether that liberty is juſtly forfeited, and is alſo juſtly at the diſpoſal of the ſeller; or without being convinced in his conſcience that the fact is ſo; whoever *detains the ſlave in bondage* directly or indirectly a moment after that conviction has been done away; or a moment after the concluſion of the time for which the ſlavery may juſtly be continued; whoever does not faithfully diſcharge *the duties of a maſter*, or transfers his ſlave to another whom he does not think likely to diſcharge them, commits in each of theſe caſes a flagrant ſin againſt God; and in moſt of them as flagrant an act of injuſtice to man.

The requiſites neceſſary to reconcile a ſtate of Slavery with juſtice, applied to the mode of purchaſing Slaves on the Coaſt of Africa.

Now are any of the indiſpenſible requiſites to the acquiſition of a juſt title to a ſlave ſcrupulouſly attended to on the coaſt of Africa? Are any of them, except the honeſt payment of the price, attended to at all? Does the purchaſer make a conſcientious inquiry, or any inquiry whatever, into the fundamental points, whether the liberty of him who is expoſed to ſale be juſtly forfeited, and alſo be juſtly at the diſpoſal of the ſeller? Can he, who has bought a thouſand ſlaves, point out any five of them with reſpect to whom he has ſufficient reaſon to believe this

this to be the caſe? Does he not know that the wretched beings whom he purchaſes, are almoſt univerſally the victims of avarice, treachery and rapine; that nearly all of them have either been kidnapped by their countrymen and relations, doomed to bondage from their infancy by laws radically unjuſt, ſeized without provocation by their own princes, adjudged to ſlavery for pretended crimes, or for offences altogether undeſerving of ſuch a puniſhment, ſtolen by the immediate emiſſaries of Europeans, or captured in wars commenced at their inſtigation for the purpoſe of obtaining ſlaves?

But many of theſe facts are controverted or denied. Let thoſe who diſtruſt them read with an unbiaſſed judgement the evidence on both ſides which has been laid before the public, and their doubts will probably be ſatisfied. Whether this be the caſe or not, let them in the next place reflect on the propenſities of the human mind, and on the information which hiſtory affords, and ſay, whether the facts above-mentioned are not conſequences which muſt be expected naturally and uniformly to take place among uncivilized nations, inflamed with a paſſion for foreign merchandize, while ſlaves are the articles with which it muſt be purchaſed.

The African Slave Trade is, and ever muſt be, a trade ſyſtematically deriving its ſupport and exiſtence from cruelty and oppreſſion.

As theſe enormities are countenanced from intereſted motives by the numerous independent Princes of

of Africa, whom it is not poſſible that Britiſh Legiſlatures can control; and as they ever will be countenanced as long as thoſe motives exiſt, it is evident that the African ſlave-trade is, and, from the nature of things, ever muſt be, a trade ſyſtematically deriving its ſupport and its very exiſtence from unbounded oppreſſion and injuſtice.

This ſingle circumſtance, excluſive of the additional weight which it may derive from other conſiderations, is ſufficient to prove that the trade ought *inſtantly* and univerſally to be abandoned; and, as the virtue of private individuals appears unable to reſtrain them from entering into it, that it is *the duty of our legiſlature*, both to God and man, by an *immediate* act of abolition to prevent thoſe at leaſt, who are under its juriſdiction, from acting either as principals, abettors, or accomplices, in a ſyſtem of ſuch incurable iniquity.

The injuſtice and inhumanity of the Slave Trade paramount to all other conſiderations.

Thoſe who have contended for the abolition of the Slave Trade ſolely or chiefly on the ground of *humanity*, have evidently *narrowed* the baſis on which their cauſe ought to reſt, and have neglected the ſtrongeſt argument in its favor. I know that humanity has more popular attractions than *juſtice*. Attention to the former ſeems to imply ſpontaneous merit; obſervance of the latter is regarded as the diſcharge

poſe

of a debt. It ſhould however be remembered, that the ſuggeſtions of humanity may in ſome caſes oppoſe each other; and may be fairly counterbalanced or outweighed by different conſiderations. The demands of juſtice are always conſiſtent with themſelves, and may on no plea whatever be diſobeyed.

But let me not be ſuppoſed to intimate, that there are no arguments of importance to be urged for the abolition of the Slave Trade beſides thoſe which are dictated by juſtice. There are arguments ſuggeſted by a regard to humanity and other duties, which *of themſelves* ought to determine the Legiſlature *inſtantly* to enforce that meaſure, if all conſiderations of juſtice were omitted.

The Slave Trade contributes to retain Africa in barbarity and ignorance; and obſtructs the progreſs of Chriſtianity.

By the Slave Trade we neceſſarily contribute, to the utmoſt of our power, to retain vaſt regions of Africa, many times larger than Great Britain, in a ſtate of barbarity and ignorance; to arm every man againſt his neighbour; to deſtroy the ſecurity and poiſon the comforts of domeſtic life, by keeping every individual in momentary fear of being ſeized by a lurking enemy, or even by his own kindred, and hurried on board a ſlave-ſhip; to foment continual, bloody, and unprovoked wars; to encourage the ſavage tyranny of the Princes, and direct it againſt their guiltleſs ſubjects; to perpetuate the moſt

moſt iniquitous laws and inſtitutions; and to prevent the diffuſion of the religion of Chriſt. Who will lay his hand on his heart, and affirm that the purchaſe of the greateſt advantages, private or national, could be juſtified on ſuch terms for a moment?

Mere regulations of the Slave Trade inadequate and nugatory.

I ſhall not dwell on the injuries and calamities which the ſlaves experience on their paſſage to the Weſt-Indies, and after their arrival there, (though they reſult from the trade, and I am perſuaded will to a great degree be coeval with it) becauſe an inveſtigation of them would ſwell this part of the work to a diſproportionate ſize; and becauſe, if they were completely removed, the arguments already adduced would ſtill be deciſive. I will however briefly notice the principal grounds on which the abolition is reſiſted.

Review of the arguments againſt the abolition of the Slave Trade.

1ſt. It was *ſhameleſsly* aſſerted a few years ſince that the negroes are a race eſſentially diſtinct from Europeans, and *inferior* to them; and the aſſertion is even yet occaſionally heard, though it is equally unphiloſophical and unchriſtian. For, does not hiſtorical experience teach us that complexion depends almoſt entirely upon climate, and talents on civiliza-

tion, as clearly as ſcripture affirms that God made of one blood all the nations on the face of the earth? But were the negroes proved a diſtinct and an inferior race, ſhould we have on that account a right to enſlave them? When God has ſeen it fit to give us our rights over animals by expreſs declarations in the ſcriptures, and has thereby inſtructed us that we ſhould not otherwiſe have been authoriſed to exact their labour, would ſuperiority of nature have entitled us to exerciſe authority over a negro, which would have been uſurpation if exerciſed over a brute?

2d. But we are told that the negroes are the deſcendants of Ham, and therefore devoted to ſlavery.

The doom of ſervitude is denounced in ſcripture only againſt the poſterity of *Canaan*, who, I preſume, is not conceived by any one to have been the progenitor of the Africans. I will not waſte my reader's time in ſhewing how futile the argument would have been, had Canaan been the founder of their race.

3d. Another plea for the continuance of the Slave Trade is ſometimes urged on *pretended grounds of juſtice*. It is alleged that, as the Weſt-Indian owners have purchaſed and improved their eſtates under the expectation of cultivating them by negroes obtained from Africa, *the Legiſlature* of this country, by profeſſedly encouraging the cultivation of the iſlands, has entered into an implied engagement with the planters to *permit* the continuance of the Slave Trade. The moſt explicit engagements to that effect, had they

they ever been entered into by our Legiſlature, would not have been binding; ſince they could not have been performed without flagrant injuſtice to the Africans, the invaſion of whoſe rights the Britiſh government never was, nor ever can be, authoriſed to promote.

4th. The Slave Trade, and all its horrors, are ſometimes vindicated on the plea, that the negroes are *happier in their ſlavery* and exile than they would have been in the enjoyment of liberty *at home*. And, as a proof of this ſingular circumſtance, we are told, that free negroes in the Weſt-Indies have refuſed the offer of returning to their own country. It would indeed be extraordinary if a negro ſhould abandon Jamaica, where he had at length acquired connections, property, and freedom, for the ſake of reviſiting Africa, where he would find himſelf friendleſs, forgotten, and diſregarded: when he muſt alſo know, that if he ſhould eſcape the not improbable event of being ſold to ſome European in his way, he might reaſonably expect to be ſeized again in his own country as he had been before, and be returned a ſlave to the iſland from which he had ſet ſail exulting in his liberty. Let us however allow the advocates for the Slave Trade the full advantage of their abſurd and incredible plea, that not only the free negroes, but even the ſlaves, are happier in our iſlands than they would have been in Africa; a plea which, were it true, would of itſelf deciſively eſtabliſh the miſerable ſtate to which Africa is *reduced by the traffic which they ſtrive*

ſtrive to vindicate: but let us in our turn require them to prove that they have a right to enſlave others for the purpoſe of making them happy. The exiſtence of ſuch a right has ben ſufficiently diſproved in a former chapter; and would not readily be admitted by thoſe with whom we are contending, if it were claimed by a negro over themſelves.

5th. Finally, it is affirmed that, while the Slave Trade is continued by *other nations*, the abolition of it on the part of Great Britain would produce no alleviation of the miſeries of Africa, and would deſtroy a principal ſource of the revenue, naval ſtrength, and proſperity of this kingdom; and conſequently, that we are juſtified in purſuing the trade, at leaſt until a general abolition ſhall be decreed by the powers of Europe.

This argument is frequently uſed by men, from whoſe underſtandings and virtues better expectations might have been formed.

That the abolition of the Slave Trade on the part of Great Britain would be likely to produce a conſiderable alleviation of the calamities of Africa, is a poſition which it might not be difficult to maintain; and that it would materially conduce to the proſperity both of Great Britain and of her dependancies, is a poſition which has been maintained by thoſe, who ought beſt to underſtand the ſources of our national ſtrength, with arguments which have not yet been diſproved. But let both the facts be allowed, preciſely

ciſely as they are ſtated by the friends of the Slave Trade.

Have we then a right to join in rendering Africa miſerable, becauſe others would ſtill haraſs her though we ſhould refrain? Would my reader think himſelf juſtified in bearing a part in a ſcheme to plunder or defraud an European, by the plea that if he were to decline the offer, a byſtander was ready to ſupply his place? Can he then, either as a private man or as a legiſlator, abet a ſyſtematical plan of injuſtice and fraud directed againſt the freedom of negroes, and be innocent? On ſuch a plea the ſmuggler, the thief, the aſſaſſin, every criminal of every deſcription, might claim a plenary indulgence for his enormities.

Whether the intereſt of the kingdom can be inconſiſtent with humanity, juſtice, and religion?

But the intereſt of the kingdom requires the continuance of the trade!

And is the intereſt of the kingdom to be ſupported by depriving unoffending foreigners of their rights; by an uniform ſucceſſion of outrages againſt humanity and juſtice? What would have been robberies and murders, if committed by ſingle highwaymen, are they not ſtill robberies and murders though the perpetrators have previouſly coaleſced into a troop, a ſociety, or a nation? It is a momentous truth, and a truth little regarded, that the rules of morality are as binding on nations as on individuals;

viduals; and that our obligations as Engliſhmen are ſubordinate to our duty as Chriſtians.

I would in the laſt place aſk thoſe who alledge the general argument ſtated above, what their ſenſations would be, if they or their children were captured and carried ſlaves into Morocco; and were told by the tyrant of the deſerts, that the depredations of his corſairs were moſt grating to his feelings; and that he would aſſuredly put an end to them, if he did not foreſee that they were requiſite for the welfare of his realm, and that he could not obtain the concurrence of his brother of Algiers.

The friends of the Abolition encouraged to perſevere.

I cannot conclude without expreſſing my ardent hope that, if the preſent attempt to aboliſh this diſgraceful commerce ſhould by any means, or in any degree, be rendered abortive, the friends of the abolion will ſeize every favourable opportunity of again bringing the ſubject before the legiſlature, until their efforts are crowned with that complete ſucceſs which ſuch a caſe deſerves, and is ſure finally to obtain.

Emancipation of the Negroes not involved in the Abolition of the Slave Trade.

The emancipation of the negroes now in the iſlands, a meaſure with which, though ignorance or artifice,

artifice, the abolition of the Slave Trade has been repeatedly confounded, is by no means neceſſarily required by the principles which I have endeavoured to eſtabliſh. In a former chapter I have ſhewn that ſlaves, who have been unjuſtly reduced to their preſent condition, may yet be detained in it, as long as there is ſufficient reaſon to believe that their liberty, if reſtored, wonld be employed in acts of outrage and revenge.

THE END.